

REMARKS

This Application has been carefully reviewed in light of the Office Action dated April 14, 2008 ("*Office Action*"). In the *Office Action*, Claims 1-3, 5-7, 9-15, 19-24, and 28-45 are pending and rejected in the Application. Applicants amend Claims 1, 14, 34, and 35. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under U.S.C. § 103

The Office Action rejects Claims independent Claims 1, 14, 19, 28, 34-37 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,370,373 issued to Gerth et al. ("*Gerth*") in view of U.S. Patent No. 7,295,524 issued to Gray et al. ("*Gray*"), and further in view of U.S. Patent No. 6,690,939 issued to Jonsson et al. ("*Jonsson*"). The Office Action rejects dependent Claims 2-3, 5-7, 9-13, 15, 20-24, 29-33, and 38-45 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of *Gerth*, *Gray*, *Jonsson*, U.S. Patent 6,904,278 issued to Iyer ("*Iyer*"), U.S. Patent Application Pub. No. 2003/0207683 issued to Lempio et al. ("*Lempio*"), and U.S. Patent No. 7,142,868 issued to Broyles et al. ("*Broyles*"). Applicants request reconsideration of these rejections for the reasons discussed below.

A. Claims 1-3, 5-7, 9-15, 34, 35, and 38-41

Independent Claims 1, 14, 34, and 35 are rejected over the proposed *Gerth-Gray-Jonsson* combination. Applicants respectfully submit, however that the claims are allowable over the cited references. In the *Office Action*, the Examiner relies on *Gerth* for disclosure of the device manager having a conflict resolution engine for resolving conflict resolutions and on *Jonsson* for disclosure of the conflicting access point associations being two or more associations of one and only one of the one or more mobile units with respective two or more access points. (*Office Action*, pages 2-4). Applicants respectfully submit, however, that neither of these references nor their proposed combination disclose, teach, or suggest "device manager having a conflict resolution engine for . . . resolving the conflicting access point associations by identifying a single one of the two or more access points as supporting the one and only one of the one or more mobile units and identifying any others of the two or more access points as being disassociated with the one and only one of the one or more mobile units," as recited in amended Claim 1.

Gerth relates to a system for detecting cloning fraud. According to *Gerth*, “[c]loning fraud occurs when one mobile user (called an unauthorized user) obtains and fraudulently uses the MIN and ESN registered to another mobile user (called an authorized user) in order to obtain “free” service.” (*Gerth*, Column 2, lines 58-62). To address this problem, *Gerth* discloses PCS Service Management System (PSMS) 202 that “includes a clone detection system (CDS) 210 which processes the REGNOT records to identify instances of cloning fraud.” (*Gerth*, Column 4, lines 61-63). Thus, to the extent that *Gerth* discloses a conflict resolution engine (which Applicants do not necessarily admit), such conflict resolution is limited to identifying unauthorized mobile user that is using the MIN and ESN registered to an authorized user. The PSMS does not resolve conflicts relating to one and only one mobile unit. Additionally, the PSMS does not resolve conflicts relating to two or more access points. Accordingly, *Gerth* cannot be said to disclose, teach, or suggest “resolving the conflicting access point associations by identifying a single one of the two or more access points as supporting the one and only one of the one or more mobile units and identifying any others of the two or more access points as being disassociated with the one and only one of the one or more mobile units,” as recited in amended Claim 1.

The deficiencies of *Gerth* identified above are not cured by the additional disclosure of *Jonsson*. *Jonsson* discloses power load balancing technique “used to increase the overall communication capacity of a radio communication system without incurring substantial, additional control signaling.” (*Jonsson*, Abstract). Specifically, *Jonsson* discloses that when an overload condition is detected in a first cell 1, “[a] nearby cell 2 is identified that is not in an overload condition (block 14).” (*Jonsson*, Column 5, lines 13-17; Figure 4, blocks 12 and 14). Additionally, “[a] radio user equipment node is identified with the connection to the radio network in cell 1 and cell 2 (block 16).” (*Jonsson*, Column 5, lines 17-19; Figure 4, block 16). Thereafter, downlink radio traffic (i.e., traffic from cell 1 to the identified user equipment node) is directed through the underloaded cell 2 rather than through the overloaded cell 1. (*Jonsson*, Column 5, lines 19-27; Figure 4, blocks 18-20). In contrast, uplink radio traffic (i.e., traffic from the user equipment to cell 1) are permitted to go through cell 1. Thus, while *Jonsson* discloses that two base stations may be used to support a single radio user equipment node, the very purpose of *Jonsson* is decrease traffic through one base station by simultaneously using both base stations to support the radio user equipment node.

Jonsson does not at all relate to “resolving the conflicting access point associations by identifying a single one of the two or more access points as supporting the one and only one of the one or more mobile units and identifying any others of the two or more access points as being disassociated with the one and only one of the one or more mobile units,” as recited in amended Claim 1.

Because the cited references do not disclose the elements recited in Claim 1, Applicants respectfully submit that independent Claim 1 is allowable over the proposed *Gerth-Gray-Jonsson* combination. For at least this reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1, together with Claims 2-3, 5-7, and 9-13, and 38 that depend on Claim 1. For analogous reasons, Applicants also request reconsideration and allowance of independent Claims 14, 34, and 35, together with Claims 15 and 39 that depend on Claim 14 and Claims 40 and 41 that depend on Claims 34 and 35, respectively.

B. Claims 19, 28, 36, and 37

Independent Claims 19, 28, 36, and 37 are rejected over the proposed *Gerth-Gray-Lempio* combination. Applicants respectfully submit, however that the claims are allowable over the cited references.

For example, the proposed *Gerth-Gray-Lempio* combination does not disclose, teach, or suggest “providing a dynamic visualization of associations between the access points and corresponding associated wireless devices,” as recited in Applicants’ Claim 19. In the *Office Action*, the Examiner acknowledges that *Gerth* and *Gray* do not disclose the recited claim elements. (*Office Action*, page 8). Rather, the Examiner relies on *Lempio*, specifically, for disclosure “providing a dynamic visualization of associations between the access points and corresponding associated wireless devices,” as recited in Applicants’ Claim 19. Applicants respectfully submit, however, that *Lempio* does not disclose the recited claim elements.

Lempio merely discloses a database in an access point 400. (*Lempio*, Page 3, paragraph 39; Figure 5B). According to *Lempio*, “an access point 400 preferably maintains a database concerning mobile stations 300 that have entered its coverage area.” (*Lempio*, Page

3, paragraph 39). Specifically, “for each mobile station 300, a record is maintained in the database indicating the identifier 550 of the mobile station within the access point’s coverage area, which may be, e.g., the mobile station’s Bluetooth address, the length of time 550 that the mobile station 300 has been in the coverage area and an indicator 560 of whether the suggested profile, suggested duration and a timer value for a forced change (if any) has been sent to the mobile station 300.” (*Lempio*, Page 3, paragraph 39). Thus, at most, *Lempio* discloses that each access point maintains a database storing information for the mobile devices that are using that access point. *Lempio* does not disclose, teach, or suggest “providing a dynamic visualization of associations between the access points and corresponding associated wireless devices,” as recited in Applicants’ Claim 19. There is no disclosure at all of a dynamic visualization. Additionally, because the database maintains information for only that particular access point, *Lempio* does not at all disclose, teach, or suggest “providing a dynamic visualization of associations between the access points and corresponding associated wireless devices,” as recited in Applicants’ Claim 19.

Because the cited references do not disclose the elements recited in Claim 19, Applicants respectfully submit that independent Claim 19 is allowable over the proposed *Gerth-Gray-Lempio* combination. For at least this reasons, Applicants respectfully request reconsideration and allowance of independent Claim 19, together with Claims 20-24 and 42 that depend on Claim 19. For analogous reasons, Applicants also request reconsideration and allowance of independent Claims 28, 36, and 37, together with Claims 29-33 and 43 that depend on Claim 28 and Claims 44 and 45 that depend on Claims 36 and 37, respectively.

CONCLUSION

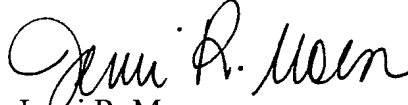
Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicants respectfully request allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6809.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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